

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

ASARCO LLC, a Delaware corporation,

Plaintiff,

vs.

**UNION PACIFIC RAILROAD COMPANY,
a Utah corporation,**

Defendant.

CASE NO. 8:12CV416

ORDER

This matter is before the Court on the Notice of Related Case (Filing No. 42) filed by Defendant Union Pacific Railroad Company (“UP”). The above captioned case is currently assigned to U.S. District Judge Bataillon. UP requests that the case be reassigned to the undersigned judge pursuant to NEGenR 1.4(a)(4)(B) because it is “related”¹ to *United States of America et al. v. Union Pacific Railroad Co. et al.*, Case No. 8:11CV195-LSC/FG3. Plaintiff Asarco LLC opposes the reassignment of the above captioned case. (See Filing No. 43.) Having reviewed the matter, this Court will deny UP’s request for reassignment.

Accordingly,

IT IS ORDERED that the Notice of Related Case (Filing No. 42) filed by Defendant Union Pacific Railroad Company is denied.

Dated this 19th day of December, 2012.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge

¹ “Open or closed civil cases are related when they involve some or all of the same issues of fact, arise out of the same transaction, or involve the validity or infringement of the same patent.” NEGenR 1.4(a)(4)(C)(iii).